

PROPOSED AMENDMENT

EH 1006 # 10

DIGEST

PROPOSED COMMITTEE AMENDMENT TO EHB 1006. Adds the provisions of SB 43 as passed by the senate. Makes it child seduction, a Level 6 felony, for a law enforcement officer who is at least five years older than a child who is: (1) at least 16 years of age; and (2) less than 18 years of age; to fondle or touch the child with the intent to arouse or satisfy the sexual desires of either the child or the law enforcement officer, if the law enforcement officer's contact with the child occurred in the course of the officer's official duties. Makes it child seduction, a Level 5 felony, if the law enforcement officer engages in sexual intercourse or other sexual conduct with the child.

- 1 Page 90, between lines 37 and 38, begin a new paragraph and insert:
2 **"(o) A law enforcement officer who:**
3 **(1) is at least five (5) years older than a child who is:**
4 **(A) at least sixteen (16) years of age; and**
5 **(B) less than eighteen (18) years of age;**
6 **(2) has contact with the child while acting within the scope of**
7 **the law enforcement officer's official duties with respect to the**
8 **child; and**
9 **(3) uses or exerts the law enforcement officer's professional**
10 **relationship with the child to engage with the child in:**
11 **(A) sexual intercourse;**
12 **(B) other sexual conduct (as defined in IC 35-31.5-2-221.5);**
13 **or**
14 **(C) any fondling or touching with the child with the intent**
15 **to arouse or satisfy the sexual desires of the child or the**
16 **law enforcement officer;**
17 **commits child seduction."**
18 Page 90, line 38, strike "(o)" and insert "(p)".
19 Page 91, line 1, strike "subsection (n)," and insert "**this section,**".
20 Page 91, line 13, strike "(p)" and insert "(q)".
21 Page 91, line 14, after "person" insert "**or law enforcement**
22 **officer**".
23 Page 91, line 16, after "of" insert "**:**
24 **(A)".**

- 1 Page 91, line 16, after "child" insert ";".
- 2 Page 91, line 16, after "or" begin a new line double block indented
- 3 and insert:
- 4 "(B)".
- 5 Page 91, line 16, after "person" delete ";" and insert "**or law**
- 6 **enforcement officer**;"
- 7 Page 91, line 17, after "person" insert "**or law enforcement**
- 8 **officer**".

(Reference is to EHB 1006 as printed February 14, 2014.)